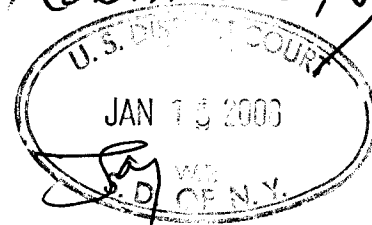


#9 Robinson, J.



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
TRUSTEES OF THE DISTRICT COUNCIL 9  
PAINTING INDUSTRY INSURANCE AND  
ANNUITY FUNDS,

Index No.: 07-CIV-10994 (SCR)

Plaintiffs,

**VOLUNTARY NOTICE  
OF DISMISSAL**

-against-

SUMMIT INDUSTRIES LLC,

Defendant.  
-----x

Please take notice that pursuant to Federal Rules of Civil Procedure 41(a)(1)(i) the  
plaintiffs by the undersigned attorney of record hereby voluntarily dismisses the above  
entitled action. Without Prejudice.

*Case Closed*

Dated: January 3, 2008  
Elmsford, New York

*Dana L. Henke*  
Dana L. Henke, Esq. (DLH3025)  
Attorney for Plaintiff  
258 Saw Mill River Road  
Elmsford, New York 10523  
(914) 592-1515

SO ORDERED

*Stephen C. Robinson*  
Honorable Stephen C. Robinson, U.S.D.J.

*dated: 1/11/08*

**MICROFILM**

JAN 15 2008

**USDC SD NY WP**